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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JOSEPH S. TRIPOLI
THOMSON MULTIMEDIA LICENSING INC.
2 INDEPENDENCE WAY
P. O. BOX 5312
PRINCETON, NJ 08543-5312

EXAMINER

JOHNSON, ALAN M

ART UNIT PAPER NUMBER

2623

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/024,924	Applicant(s) JOHNSON, CAROLYNN RAE	
	Examiner Alan M. Johnson	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/20/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

First applicant argues "examples describe by Goddard et al. are unlike the stored preset example programs provided in the preset claimed invention." (applicant's remarks, page 10 first paragraph)

In response, the examiner interprets the 'stored preset rating example' as claimed, to be any program, designated as a rating example, stored in the receiver. Goddard's system discloses a receiver that stores the identification and content rating of example content provided to the user, to be deemed acceptable or not acceptable at a later time (column 7 lines 15-24). This demonstrates that Goddard's system stores a rating example (program identification and content rating). By storing a program identification, Goddard's system will be able to identify the original program and storing the content rating allows the receiver to know what the ratings of the program associated is so the user may designate whether he/she deems the program to be expectable. Therefore, Goddard does disclose, "retrieving a stored reset rating example" as recited in claims 1 and 16 of the present invention.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-4, 6-7,9-12, 14-17** are rejected under 35 U.S.C. 102(e) as being anticipated by Goddard (6,684,240).

Considering claim 1, Goddard discloses a method for selecting rating limits in a program content filtering system, wherein said rating limits define whether program are to be blocked or are deemed to be acceptable (column 3, lines 10-55), comprising:

retrieving a stored preset rating example (store identification and content rating, column 7 lines 15-24);

reproducing information about retrieved rating example (column 3, lines 35-38);

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supplying at least one recommended rating assigned to said rating example
("appropriateness" – column 5, lines 52-57);

detecting an user indication about the acceptability of said rating example (the
system detects when the user adjusts the acceptability of the rating, column 3,
lines 31-33);

assigning said user indication to said recommended rating (column 3, lines 33-
38);

deriving a rating limit in response to assigning said user indication to said
recommended rating (adjusting the content, column 3, lines 33-38).

As for claim 2, Goddard discloses repeating the process of reproducing,
supplying, detecting and assigning for plural examples and then deriving rating limit in
response to the plural examples (column 6 lines 42-48).

Regarding 3, Goddard discloses the following:

storing said rating limits (user sets desired level of filtering, column 3, lines 38-
39);

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receiving programs comprising multimedia content and assigned recommend ratings (column 5, lines 62-66);

comparing the stored rating with the received assigned recommended rating (column 6 lines 1-5 and column 7 lines 34-37);

denying access to programs exceeding at least one of the rating limits (column 6 lines 1-14).

With respect to claim 4, Goddard discloses the following:

said programs are television programs (column 3 lines 28-30 and lines 60-66);

said program content filtering system is a parental control system (column 4 lines 1-9).

With regard to claim 6, Goddard discloses that the recommended ratings define the age of the viewer the program is designed for (column 5 lines 54-58 and column 6 lines 1-15).

With respect to claim 7, Goddard discloses recommended rating (associated content rating, column 5 lines 64-67).

Dealing with claim 9, Goddard discloses that the information about rating examples and said recommended ratings assigned to said rating examples are received within electronic program guide information (column 4 lines 18-27).

As for claim 10, Goddard discloses that the information about rating examples and said recommended ratings assigned to said rating examples are stored in a receiver device (column 7 lines 14-24).

Considering 11, Goddard discloses that for a networked device the information about rating examples and the recommended ratings assigned to the rating examples are stored in a remote server (stored in the memory of another information appliances and transmitted over a local area network or a wide area network, such as the internet, column 11 line 66 - column 12 line 16).

In regard to claim 12, Goddard discloses that the information about rating examples are the recommended ratings assigned to said rating examples are selected by the user from the normal EPG schedule (column 4 Lines 18-27).

As for claim 14, Goddard discloses displaying the overview of derived rating limits (column 5 lines 54-57).

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Dealing with claim 15, Goddard discloses the following:

the derived rating limits can be manually amended (column 6 lines 61-65).

Considering claim 16, Goddard discloses an apparatus with:

means (618, 610, 620 Fig. 6) for receiving programming including rating information (column 12 lines 35-39 and column 13 line 66 – column 14 line 4);

control means (602,604, 618,610,616 Fig. 6) responsive to rating information and to a rating limit for providing content filtering of the programming (column 8 lines 7-13), the control means comprises:

means (604, 610 612, 614 Fig. 6) for retrieving a stored preset rating example;

means (604 Fig. 6) for providing information about a rating example (column 3 lines 35-42 and column 5 lines 52-57);

means (602, 618, 610, 616 Fig. 6) for deriving the rating limit in response to an indication from user about the acceptability of the rating example (column 3 lines 33-38 and column 6 lines 1-5).

With regard to claim 17, Goddard discloses an apparatus with:

means (Fig. 6) for repeating the process of reproducing, supplying detecting and assigning rating limits for a plurality of stored preset rating examples (column 6, lines 42-48, column 4 lines 18-27 and store identification and content rating, column 7 lines 15-24).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Knowles et al. (Knowles) (6,505,348).

Considering claim 5, Goddard discloses that the television programs are received as an analog television signal (I/O devices provide or receive analog or digital signals, column 13 line 66 through column 14 line 3).

Goddard fails to specifically teach that the assigned recommended ratings are received in the vertical blanking interval of the analog television signal.

In an analogous art, Knowles discloses a rating system for television programs for receiving assigned recommended ratings in the vertical blanking interval (VBI)(column 9, lines 50-56).

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to include receiving assigned recommended ratings in the vertical blanking interval, as taught by Knowles, for the advantage of sending additional television related information in a portion of the signal that will not disrupt the viewer.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Ali et al. (Ali) (US 2002/0199186 A1).

Dealing with claim 8, Goddard fails to specifically teach that the user indications comprise various degrees of acceptability.

In an analogous art, Ali discloses a rating system for television programs that allows the user to select various degrees of acceptability. See Paragraph 30 lines 1-7.

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to allow the user to select various degrees of acceptability as taught by Ali for the advantage of more precisely rating programs that fall within the grey area between yes and no.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard in view of Knowles et al. (Knowles) (6,505,348).

Regarding 13, Goddard discloses that the currently broadcasted programs are used as information about rating examples (column 8 lines 12-37)

Goddard fails to disclose wherein recommended ratings broadcast embedded into the currently broadcast programs are used as said recommended ratings assigned to the rating examples

In an analogous art, Knowles discloses recommended ratings broadcast embedded into the currently broadcast programs (rating data transmitted over the VBI column 9, lines 50-56).

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to allow the use of recommended ratings broadcast embedded into the currently broadcast programs for the advantage of instantaneously receiving the information about the requested program which would ensure that the appropriate blocking or unblocking action could take place immediately.

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10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Goddard in view of Cooper Jr et al. (Cooper) (US 2003/0223734 A1).

As for claim 18, Goddard discloses an apparatus (Fig. 5) with a parental control system (PC/TV system column 12 lines 30-35 and commanding the parental control system column 8 lines 23-28), comprising:

a processor for executing a rating limits application, wherein the rating limits application retrieves and provides stored preset rating examples and processes user indication about the acceptability of the rating examples in order to derive rating limits from the user indications (column 12 lines 40-45 and store identification and content rating, column 7 lines 15-24);

a display (614) for displaying the screen displays (column 13 lines 43-51);

an input interface (616, 618 Fig. 6) for detecting user indications about the acceptability of the retrieved preset rating examples (keyboard, touchpad, infrared transducers, column 13 line 51 - column 14 line 3);

a memory (604 Fig. 6) for storing the derived rating limits (set, column 3 lines 38-39 and column 12 line 61 – column 13 line 14).

Goddard fails to specifically teach that an OSD generator for generating screen displays reproducing information.

In an analogous art, Cooper discloses an OSD (115 Fig. 3) generator for generating screen displays reproducing information (paragraph 41-42).

It would have been obvious to one of ordinary skill in the art to modify Goddard's system to include an OSD generator for generating screen displays reproducing information, as taught by Cooper, for the advantage of creating a visible interface that would allow users to read information about the displayed rating example on the screen instead looking the rating up in a newspaper or a television guide.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan M. Johnson whose telephone number is (571)272-7916. The examiner can normally be reached on 8am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJ


CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600